



Kansas Water Pollution Control Permit for Agricultural and Related Wastes

Livestock Waste Management Program

RECEIVED

AUG 19 2019

LIVESTOCK WASTE
MANAGEMENT SECTION

Permit Application

Instructions: PLEASE PRINT. Complete and provide all information as requested. Attach all drawings and plans to this application. If you need assistance completing this form, call (785) 296-6432 or your local KDHE District Office. Mail completed application to:

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT
LIVESTOCK WASTE MANAGEMENT
SECTION 1000 SW JACKSON STREET, SUITE 430
TOPEKA, KS 66612-1367

Department Use Only

Facility ID # _____

Date Permit Application Complete: _____

Permit Fee: Yes No

If a registration form has been submitted to KDHE within the previous eighteen months, only pages 1 through 7 and not previously submitted portions of Appendix 3 need to be completed. Any information from pages 5 or 7 submitted with the registration does not need to be resubmitted unless changes need to be noted.

NOTICE: Failure to provide all required documentation at the time of submission of this permit application will result in the entire permit package being returned to the applicant for completion.

FACILITY IDENTIFICATION

Check one:

- ☒ New Facility Application
- ☐ Renewal Application
Permit #:
- ☐ Facility Modification/Expansion Application
Current Permit #:
- ☐ Facility Name/Owner Change
Permit #:

1. **Name of Applicant:** Kellan F. Kopfer, Owner
Name of Property Owner(s) (if different from Applicant): Michelle M. Kopfer
Date: August 20, 2019
2. **Name of Facility:** Kopfer Farms, Inc.
3. **Mailing Address:** 630 Cherokee Road
Oak Hill, Kansas 67432
4. **Facility Address (if different):** 0000 6th Road (New Facility, Actual Facility Address yet to be determined)
Oak Hill, Kansas 67432
5. **Applicant's Telephone #:** 785-388-2120 (Home)
Cellular Telephone #: 785-263-5064 (Kellan Kopfer Cell)
E-Mail Address: kopfer@twinvalley.net

Applicant hereby makes application to the Kansas Department of Health and Environment in conformance with K.S.A. 65-171d et seq. and K.A.R. 28-18-1 through 17, and/or 28-18a-1 through 33.

ADDITIONAL CONTACT INFORMATION: (optional additional facility contact to receive copy of correspondence)

Duane H. Mueting, P.E., P.L.S., Consultant
Mueting Engineering & Surveying
612 Community Drive
Seneca, Kansas 66538
785-334-6044 / 785-336-1361 (Cell)

FACILITY DESCRIPTION

6. Legal Description of Property where facility is located:

Southwest One-Quarter of Section 5, Township 10 South, Range 1 East of Clay County, Kansas

7. The existing, proposed and/or expanding livestock operation will consist of: (mark **E** if existing or **P** if proposed)

Three (3) Enclosed Buildings — Proposed

8. Existing and/or proposed waste control systems: (mark **E** if existing or **P** if proposed)

Concrete Waste Storage Structure Pits — Proposed

9. Are there any county or local comprehensive land use plans or zoning requirement or restrictions at this site?

YES

10. Waste Management Equipment: Indicate the type and size of equipment available for: land application and transportation of process waste (in any form: liquid, slurry, or solid). Indicate whether each piece of equipment is owned, leased, or contractor provided. If a wastewater retention structure is present at the facility dewatering equipment **must** be listed. (Please attach additional page if needed)

Equipment Description	Equipment Purpose	Capacity	Owned (O) Leased (L) or Contractors (C)
Lagoon Pumping & Dredging, Inc. 4015 South 9 th Street Columbus, NE 68601 402-563-3464 www.lagoonpumping.com	Custom Pumping & Application	2000 GPM	Contractor

ANIMAL UNITS CALCULATION

Please complete the table below. Identify the **maximum** capacity of each type of animal at your facility. Each pig, weaned or unweaned, weighing 55 pounds or less must be counted as 0.1 animal units. Similarly, for permitting purposes, dairy facilities must count calves and heifers weighing less than 700 pounds as 0.5 animal units and bulls, and heifers weighing more than 700 pounds as 1.0 animal unit. Lactating and dry dairy cows should be counted as 1.4 animal units, etc.

(A)	(B)	(C)	(D)	(E)
Type of Facility*	Maximum Permitted Capacity (Head)	Proposed Expansion or New (Head)	AU Conversion Factor	Maximum Animal Units (B+C) x D
Swine weighing less than 55 pounds	2048	2048	0.1	204.8
Swine weighing more than 55 pounds	4096	4096	0.4	1638.4
TOTAL				1843.2

***Minimum EPA thresholds requiring an NPDES permit** are: 700 head of mature dairy cows (lactating or dry), 1,000 head of veal calves, 1,000 head of cattle other than mature dairy cows or veal calves, 2,500 head of swine weighing greater than 55 pounds, 10,000 head of swine weighing 55 pounds or less, 500 horses, 10,000 sheep or lambs, 30,000 ducks w/ other than liquid manure system, 5,000 ducks w/ liquid manure system, 55,000 turkeys, 30,000 laying hens/broilers w/ liquid manure system, 125,000 chickens other than laying hens (broilers) w/ other than liquid manure system, and 82,000 laying hens w/ other than liquid (dry) manure system.

A 0.033 animal unit conversion factor should be used for chicken facilities with dry litter systems if manure is exposed to precipitation during collection or when stored in stockpiles or if manure is land applied without incorporation into the soil within 24 hours.

SEPARATION DISTANCE WAIVERS & PUBLIC NOTICE REQUIREMENTS

Habitable Structure Separation Distances: On Appendix 2, the applicant is required to provide KDHE with a list all owners of habitable structures and mailing addresses, and the headquarters of all city, county, state, or federal parks, and wildlife refuges within the applicable separation distance for the maximum animal unit capacity of the facility.

	<u>Animal Units (AU)</u>	<u>Habitable Structure Separation Distance</u>	<u>Wildlife Refuge Habitable Structure Separation Distance (Swine Only)</u>
New facility or expansion	300-999	1320 Feet	
New facility or expansion	1000- 3724	4000 Feet	10,000 Feet
Swine expansion that will meet or exceed	3725	4000 Feet	
New swine facility that will meet or exceed	3725	5000 Feet	16,000 Feet

Animal Units — No ceiling for non-swine

Separation Distance — If within original designated expansion boundary, otherwise 5,000 feet.

The applicant should request owners of habitable structures within the applicable separation distance to sign a waiver of the separation distance to the proposed facility. Waivers shall be filed by the applicant with the register of deeds office of the county in which the habitable structure is located. Evidence of proper notice such as, signed waiver agreements, or signed certified mail receipts to match the list in Appendix 2 shall be provided before KDHE will notify the public a permit has been drafted. A Confined Animal Feeding Facility/Habitable Structure Separation Distance Agreement form is available upon request from the Department or on-line at <http://www.kdheks.gov/feedlots/>.

List of Property Owners Within One Mile of the Facility: On Appendix 2a, the applicant is required to provide KDHE with a list containing the names and mailing addresses for each owner of a habitable structure and any property within 1 mile of a proposed **new construction or new expansion** of a confined feeding facility. In addition, the applicant of a proposed new construction or new expansion of a confined feeding facility is required to provide KDHE with the address of the United States post office or offices serving the immediate area of the facility.

Public Notice Requirements: Attach all waiver and public notice documentation listed in Appendix 3 to this application. Please read the requirements on page 10 carefully.

PRODUCER'S CHECKLIST

For this permit application to be considered complete and ready for the department to review, the applicant must provide the following documentation. Please check and assemble in the order listed. Additional guidance on specific components is available upon request through the Department. Please call (785) 296-6432 or go on-line at www.kdheks.gov/feedlots/ for assistance.

Appendix Number	Document
1 <input checked="" type="checkbox"/>	Facility Site Maps (see Page 7 for details)
2 <input checked="" type="checkbox"/>	List of Habitable Structure Owners with applicable separation distance (see Pages 4 & 8 for details)
2a <input checked="" type="checkbox"/>	List of Habitable Structures/Property Owners within one mile (proposed new construction or new expansion (See Pages 4 & 9 for Details)
3 <input checked="" type="checkbox"/>	Public Notice Documentation (see Page 10 for details)
4 <input checked="" type="checkbox"/>	Depth to Groundwater Information
5 <input checked="" type="checkbox"/>	Facility Design Calculations
6 <input checked="" type="checkbox"/>	Construction Drawings — Provide detail location/site plans indicating the following: Major components of the facility including structures, building sizes/locations, property lines, locations and sizes (length, width, height, area/volume capacity) of lagoons, dirt lots, pits and manure stockpile locations. Plans should include typ, size and maximum anticipated number of animals in each building and/or dirt lot. Also depict the furthest extent of facility boundaries to include areas that may be used for future expansion.
6a <input checked="" type="checkbox"/>	If plans/drawings are prepared by a consultant, provide documentation the consultant has adequate general commercial liability insurance coverage addressing errors and omissions in the design plans and specifications has been obtained and is in effect; or plans include a stamp by a Kansas Licensed Professional Engineer as per K.S.A. 28-18-12(d).
7 <input type="checkbox"/>	Waste Management Plan (required if the facility is less than the EPA thresholds listed on Page 3)
8 <input checked="" type="checkbox"/>	Nutrient Management Plan (required if the facility meets or exceeds the EPA thresholds listed on Page 3)
9 <input checked="" type="checkbox"/>	Swine Facility Plans
	a <input checked="" type="checkbox"/> Manure Management Plan [Required if 1,000 AU or more]
	b <input checked="" type="checkbox"/> Nutrient Utilization Plan [Required if 1,000 AU or more]
	c <input checked="" type="checkbox"/> Emergency Response Plan [Required if 1,000 AU or more]
	d <input checked="" type="checkbox"/> Odor Control Plan [Required if 1,000 AU or more]
	e <input checked="" type="checkbox"/> Dead Swine Handling Plan [Required if 1,000 AU or more]
	f <input type="checkbox"/> Facility Closure Plan [Required if 3,725 AU or more]
	g <input type="checkbox"/> Financial Assurance for Facility Closure [Required if 3,725 AU or more]
	h <input type="checkbox"/> Financial Assurance for Swine Waste Retention Lagoon or Pond Closure [Required if 3,725 AU or more]
	I <input type="checkbox"/> Groundwater Monitoring Plan [Required for certain swine facilities] See K.A.R. 28-18a-18

ANNUAL PERMIT FEE

The annual permit fee is based on the facility maximum number of animal units as listed below and **must be paid before processing** of the permit and annually to maintain the validation of the permit. These fees are non-refundable.

Facility Size in Animal Units (AU)	Annual Permit Fee
999 AU or less	\$25
1,000 to 4,999 AU	\$100
5,000 to 9,999 AU	\$200
10,000 AU or more	\$400
Private Truck Washing Facility (two or fewer owned trucks)	\$25
Private Truck Washing Facility (three or more owned trucks)	\$200
Commercial Truck Washing Facility	\$320

**PLEASE MAKE CHECK PAYABLE TO:
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

SIGNATURE & CERTIFICATION

SWINE FACILITY CONSULTATION STATEMENT

required for all swine facilities

I, Kellan F. Kopfer, Owner, will consult with the KSU county extension agent, or qualified agronomist or individual trained in crop protection, to ensure application of swine wastes at agronomic rates and that records of this information will be available at the swine facility office as prescribed in K.S.A. 651,179(b)(3)(E).

Applicants Signature: _____

Date: August 20, 2019

PERMIT APPLICATION CERTIFICATION

required for all species

I hereby certify that the information submitted and/or attached herein is true and correct to the best of my knowledge and belief.

I hereby make application to the Kansas Department of Health and Environment for a water pollution control permit for the facility described in this application in conformance with K.S.A. 65-171d et seq. and K.A.R. 2818-1 through 17 and/or K.A.R. 28-18a-1 through 33.

Applicants Name: Kellan F. Kopfer, Owner

(Print Name and Title)

Applicants Signature: _____

Date : August 20, 2019

This application is to be signed by one of the following: (1) In the case of a corporation, by the principal executive officer of at least the level of Vice President; (2) in the case of a partnership, by a general partner; or (3) in the case of a sole proprietorship, by the proprietor.